

TO/ST/90  
U.S. PTO  
S101203

A/PLANT

Please type a plus sign (+) inside this box → PTO/SB/19 (4/98)  
Approved for use through 09/30/2000. OMB 0651-0032Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# PLANT PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. \_\_\_\_\_

First Inventor or Application Identifier | Guennadi Eremin

Title | Prunus Plant 'LC-52'

Express Mail Label No. \_\_\_\_\_

PTD  
J11046 U  
99/05/01

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231**APPLICATION ELEMENTS**

See MPEP chapters 800 &amp; 1600 concerning plant patent application contents.

1.  \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2.  Specification [Total Pages ]   
(2 copies required - 37 C.F.R. § 1.163(b)  
(preferred arrangement set forth below)
- Descriptive title of the Invention (with Plant's name)
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings
  - Detailed Botanical Description
  - Claim (only one (1) permitted MPEP 1605)
  - Abstract of the Disclosure
3.  Color drawing(s) [Total Sheets ]   
(2 copies required - 37 C.F.R. § 1.165(b))
4. Oath or Declaration [Total Pages ]
- a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 15 completed)
- i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

**\*NOTE FOR ITEMS 1 & 12: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

**ACCOMPANYING APPLICATION PARTS**

5.  Plant Color Coding Sheet
6.  Assignment Papers (cover sheet & document(s))
7.  37 C.F.R. § 3.73(b) Statement  Power of  
(when there is an assignee)  Attorney
8.  English Translation Document (if applicable)
9.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
Statement (IDS)/PTO-1449  Citations
10.  Preliminary Amendment
11.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
12.  Small Entity Statement(s)  Statement filed in prior application  
(PTO/SB/09-12)  Status still proper and desired
13.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
14.  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

 Continuation  Divisional  Continuation-in-part (CIP) of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**16. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Customer No. or Attach bar code label here)			or <input checked="" type="checkbox"/> Correspondence address below		
Name	Ms. Shannon K. Reeser					
	Varieties International					
Address	P.O. Box 753					
City	Lafayette	State	Oregon	Zip Code	97127	
COUNTRY	USA	Telephone	(503) 538-2131	Fax		

Name (Print/Type)				Registration No. (Attorney/Agent)		
Signature				Date		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

06/15/01

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 245.00)

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	Guennadi Eremin
Examiner Name	
Group Art Unit	
Attorney Docket No.	

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check     Credit card     Money Order     Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355 Utility filing fee	
106	320	206	160 Design filing fee	
107	490	207	245 Plant filing fee	
108	710	208	355 Reissue filing fee	
114	150	214	75 Provisional filing fee	
				245.00

SUBTOTAL (1) (\$ 245.00)

## 2. EXTRA CLAIM FEES

Total Claims	-20** =	X	=
Independent Claims	- 3** =	X	=
Multiple Dependent			=

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
103	18	203	9 Claims in excess of 20
102	80	202	40 Independent claims in excess of 3
104	270	204	135 Multiple dependent claim, if not paid
109	80	209	40 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
105	130	205 Surcharge - late filing fee or oath	
127	50	227 Surcharge - late provisional filing fee or cover sheet	
139	130	139 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 Extension for reply within first month	
116	390	216 Extension for reply within second month	
117	890	217 Extension for reply within third month	
118	1,390	218 Extension for reply within fourth month	
128	1,890	228 Extension for reply within fifth month	
119	310	219 Notice of Appeal	
120	310	220 Filing a brief in support of an appeal	
121	270	221 Request for oral hearing	
138	1,510	138 Petition to institute a public use proceeding	
140	110	240 Petition to revive - unavoidable	
141	1,240	241 Petition to revive - unintentional	
142	1,240	242 Utility issue fee (or reissue)	
143	440	243 Design issue fee	
144	600	244 Plant issue fee	
122	130	122 Petitions to the Commissioner	
123	50	123 Processing fee under 37 CFR 1.17(q)	
126	180	126 Submission of Information Disclosure Stmt	
581	40	581 Recording each patent assignment per property (times number of properties)	
146	710	246 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 Request for Continued Examination (RCE)	
169	900	169 Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Signature		Date

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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<b>PLANT COLOR CODING SHEET</b> <small>(to be used for new applications only)</small>				Attorney Docket Number	
				First Named Inventor	Guennadi Eremin
				<b>FOR OFFICIAL USE ONLY</b>	
'LC-52'				Date of Receipt	
Sheet	1	of	1	Application Number	

PLEASE LIST THE ITEM TO WHICH COLOR IS A DISTINGUISHING FEATURE, THE COLOR CODE WHICH BEST REPRESENTS THAT PLANT STRUCTURE AND THE COLOR CODE SYSTEM.

ITEM	COLOR
Trunk:	
Trunk Bark Color	178A
Lenticel Color	198B
Branches:	
Branch Color	175A
Lenticel Color	198B
Leaves:	
Leaf Color (adaxial surface)	139B
Leaf Color (abaxial surface)	139C
Petiole Color	149C
Vein Color (adaxial & abaxial surfaces)	141B
Fruit:	
Stem Color	144A
Skin Color	187A
Flesh Color	187C
Seed Color	164B
Flower:	
Bud Color	155C
Flower Color Fully Opened (upper & lower surfaces)	155C
Color of Peduncle	144B
Calyx Color	152C
Reproductive Organs:	
Stamen Color	145C
Anther Color	9A
Color of Pollen	9A
Pistil Color	144C
Style Color	144C
Ovary Color	155C
<b>COLOR CODE SYSTEM:</b>	RHS Colour Chart of the Royal Horticultural Society

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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April 9, 2001

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DE 20231

*Re: Patent Application Packet for Prunus Plant 'LC-52'*

Dear Assistant Commissioner:

Enclosed you will find a patent application packet for the above reference plant with the following forms:

- ✓ Plant Patent Application Transmittal
- ✓ Fee Transmittal
- ✓ Plant Patent Application Declaration
- ✓ Declaration - Plant Patent Application
- ✓ Statement Claiming Small Entity Status
- ✓ Plant Color Coding Sheet
- ✓ Two (2) copies of the specifications

I have also enclosed a check in the amount of \$245.00 to cover the basic filing fee. If you have any questions I can be reached at (503) 435-2000 or by e-mail at [shannon@meadow-lake.com](mailto:shannon@meadow-lake.com).

Sincerely,

A handwritten signature in black ink that reads "Shannon K. Reeser".

Shannon K. Reeser  
Executive Assistant

Enclosures